

Appln. No.: 10/090,877
Amendment Dated January 3, 2005
Reply to Office Action of November 2, 2004

MATP-609US

Remarks/Arguments:

Claims 1-20 are pending in the above-identified application. Claims 1, 2, 5, 8-10, and 14-17 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Kim and Shintani et al. This ground for rejection is overcome by the amendment to claims 1, 9 and 16. Basis for this amendment may be found at paragraphs [0016], [0033] and [0034] of the subject application. In particular, neither Kim, Shintani et al. nor their combination discloses or suggests,

a processor in the electronic device that generates image pattern information to be displayed as an on-screen display (OSD);

a transmitter in the electronic device that transmits the image pattern information as an OSD information signal; and

a remote control unit, comprising:

a receiver which receives the OSD information signal;

a data processor which processes the OSD information signal to generate the OSD; and

a display device operably linked to the data processor which displays the generated OSD,

as required by amended claim 1,

generating, in the electronic device, image pattern on-screen display (OSD) information to be displayed as an OSD;

transmitting the generated image pattern OSD information from the electronic device;

receiving the image pattern OSD information at a remote control unit;

processing the received image pattern OSD information to generate the OSD; and

displaying the generated OSD on a display device operably linked to the remote control device

as required by amended claim 9 or,

receiving the image pattern OSD information signal generated by the electronic device;

processing the received image pattern OSD information signal to generate the OSD; and

displaying the generated OSD on a display device operably linked to the remote control unit

as required by claim 16.

Appln. No.: 10/090,877
Amendment Dated January 3, 2005
Reply to Office Action of November 2, 2004

MATP-609US

In the Office Action, it is asserted that "Kim discloses ... a data processor that processes the broadcast program information signal to generate the broadcast program or EPG Kim uses the term broadcast program or EPG rather than the term on-screen display or OSD." In addition, it is asserted in the Office Action that "Shintani teaches an electronic program guide or on-screen display (OSD) transmitted from a television set (101) to a remote controller unit (100) so that the OSD which obscures the picture on the television set is avoided." Applicants respectfully disagree with this assertion. Neither Kim nor Shintani et al. disclose or suggest transmitting an OSD as the term would be understood by one of ordinary skill in the art. Instead, both of these references teach transmitting *data* which may be used to generate a display on the remote control device.

An On-Screen Display or OSD is an image formatted for display on a display screen. An electronic program guide or EPG, on the other hand, is data describing available programming content. The term EPG does not in any way imply a formatted image. The subject invention is advantageous because the image pattern for the OSD is developed in the electronic device and transmitted to the remote control device. This greatly simplifies the remote control device as it does not need to generate the image pattern for the OSD but only receive and display the image pattern information that was generated by the electronic device.

Kim does not indicate his EPG data includes any image pattern information that may be displayed on a display device. Indeed, Kim teaches that only information is transmitted because he teaches that data is transmitted to the remote control device using POCSAG paging format. (See paragraph [0067].) As shown in Figs. 5A through 5D, Using this format, only data are transmitted. This data does not conform to an "on-screen display" as it would be understood by one of ordinary skill in the art. To emphasize this distinction, claims 1 and 9 have been amended to recite that "image pattern OSD information" is transmitted between the electronic device and the remote control unit.

While Shintani et al. at column 5, lines 5-6 do indicate that the display on the remote control obviates the on-screen display, they do not indicate that the display on the remote control conforms to the OSD that would be produced on the television receiver. Indeed, Shintani et al. disclose only transmitting "electronic program guide *information*," to the remote control device. There is no indication that this information has been processed into image pattern information that corresponds to an on-screen display. Moreover, one of ordinary skill in

Appn. No.: 10/090,877
Amendment Dated January 3, 2005
Reply to Office Action of November 2, 2004

MATP-609US

the art having knowledge of Kim and Shintani et al. would not provide image pattern OSD information but, instead, would provide raw data encoded according the POCSAG paging format as taught by Kim.

Accordingly, claims 1, 9 and 16 are not subject to rejection under 35 U.S.C. § 103(a) in view of Kim and Shintani et al. Claims 2, 5 and 8 depend from claim 1, claims 10, 14 and 15 depend from claim 9 and claim 17 depends from claim 16. Accordingly, these claims are not subject to rejection under 35 U.S.C. § 103(a) in view of Kim and Shintani et al. for at least the same reasons as their base claims.

Claims 3, 4, 11, 12, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Kim, Shintani et al. and Horton. This ground for rejection is overcome by the amendments to claims 1, 9 and 16, described above. Kim and Shintani et al. are described above. Horton concerns an on-screen display for an MPEG video signal processing system. Similar to Kim and Shintani et al., however, Horton does not disclose a remote control device and, so, can not disclose or suggest sending any image pattern information from the MPEG video signal processing system to a remote control device. Thus, Horton can not provide the material that is missing from Kim and Shintani et al. Consequently, claims 1, 9 and 16 are not subject to rejection under 35 U.S.C. § 103(a) in view of Kim, Shintani et al. and Horton and, thus, claims 3 and 4, which depend from claim 1, claims 11 and 12 which depend from claim 9 and claims 18 and 19 which depend from claim 16 are not subject to rejection under 35 U.S.C. § 103(a) in view of Kim, Shintani et al., and Horton for at least the same reasons as their base claims.

Claims 6, 7, 13 and 20 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Kim, Shintani et al. and Dunaway. This ground for rejection is overcome by the amendments to claims 1, 9 and 16, described above. Kim and Shintani et al. are described above. Dunaway concerns a multimodal remote control device having electrically alterable keypad designations. The remote control device described by Dunaway has a single format. All that is changed in the different modes of the remote control device is the text in the center 22 of the display or the buttons 24-42 on the sides of the display. (See column 4, lines 10-25). These text items are conveyed as data during a learning mode, as described at column 5, lines 42-48. As with Kim and Shintani et al., Dunaway does not disclose or suggest sending or receiving image pattern OSD information. Accordingly, claims 1, 9 and 16 are not subject to rejection under 35 U.S.C.

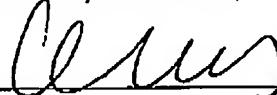
Appn. No.: 10/090,877
Amendment Dated January 3, 2005
Reply to Office Action of November 2, 2004

MATP-609US

§ 103(a) in view of Kim, Shintani et al. and Dunaway. Claims 6 and 7 depend from claim 1, claim 13 depends from claim 9 and claim 20 depends from claim 16. Accordingly, these claims are not subject to rejection under 35 U.S.C. § 103(a) in view of Kim, Shintani et al. and Dunaway for at least the same reasons as their base claims.

In view of the foregoing amendments and remarks, Applicant requests that the Examiner reconsider and withdraw the final rejection of claims 1-20.

Respectfully submitted,



Kenneth N. Nigon, Reg. No. 31,549
Attorney(s) for Applicant(s)

KNN/tmb

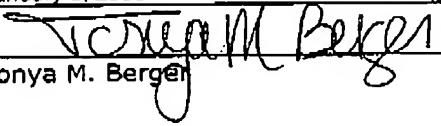
Dated: January 3, 2005

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being filed with the U.S. Patent and Trademark Office via Facsimile Transmission to Facsimile No. 1-703-872-9306 addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

January 3, 2005



Tonya M. Berger